

## **REMARKS/ARGUMENTS**

Reconsideration of this application is requested. Claims 1-9 are in the case.

### **I. CLAIM OBJECTIONS**

Claim 6 has been objected to based on the alleged informalities noted on page 2 of the Action. In response, claims 6 and 7 have been amended to overcome these points. Withdrawal of the claim objections is now respectfully requested.

### **II. THE ANTICIPATION REJECTION**

Claims 1, 2 and 5-8 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent 5,394,866 to Ritson et al. That rejection is respectfully traversed.

The invention is directed to an inhaler for delivering medicament by inhalation. The inhaler comprises a housing for holding a canister of medicament having a body and a valve stem compressible together to actuate the canister to deliver a dose of medicament from the valve stem, an actuation mechanism for compressing the canister, a cannister re-set mechanism comprising a locking element for locking the canister in a compressed state and a release member resiliently biased by the actuation mechanism on compression of the canister to release the locking mechanism to allow reset of the canister.

In the apparatus described by Ritson, trigger pin 312 does act as a locking element, holding the canister in a depressed state. However, the Ritson apparatus does not comprise a "release member resiliently biased by the actuation mechanism on

compression of the canister to release the locking mechanism". In Ritson (column 22, line 37 to column 23, line 2), the trigger pin 312 is forced from the locking position in ring slot 234 by activation of a motor 321. The torsion spring 220 is biased by the actuation mechanism, but it does not serve as release member to release the locking mechanism. The only function of the torsion spring is to reload the compression spring 210, after the trigger pin 312 is forced from the locking position which is actuated by use of the motor 321 a predetermined time after the compression spring 210 has been released from its compressed state to depress the canister.

Based on the above, it is clear that Ritson does not anticipate the invention as claimed. Withdrawal of the outstanding anticipation rejection is accordingly respectfully requested.

### **III. ALLOWABLE SUBJECT MATTER**

It is noted, with appreciation, that claims 3, 4 and 9 are free of the prior art. Based on the arguments presented above, it is believed that all of the claims in this application are now in allowable condition. Early notice to that effect is respectfully requested.

### **IV. THE SPECIFICATION**

The specification has been amended to include customary headings, including a brief description of the drawings. No new matter is entered.

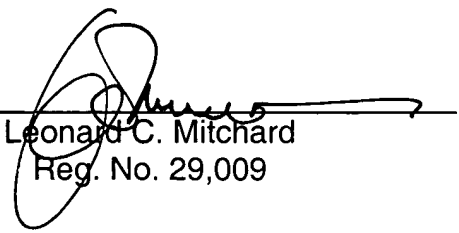
CHRISTRUP et al  
Appl. No. 10/601,577  
June 23, 2004

Favorable action on this application is awaited.

Respectfully submitted,

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